

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)	
)	
Revision of the Commission's Rules to Ensure)	
Compatibility with Enhanced 911 Emergency)	CC Docket No. 94-102
Calling Systems)	
)	
)	
)	
)	

ORDER

Adopted: May 10, 2001

Released: May 10, 2001

By the Chief, Policy Division, Wireless Telecommunications Bureau:

1. On November 13, 2000, Nextel Communications, Inc. and Nextel Partners, Inc. (Nextel) submitted a report on Phase II location technology implementation and a request for waiver regarding implementation of Enhanced 911 (E911) Phase II services pursuant to Section 20.18(e) of the Commission's Rules.¹ In connection with the *Nextel Report and Waiver Request*, in this Order we require Nextel to provide to the Commission certain information related to E911 Phase II location technology testing, pursuant to 47 U.S.C. § 308(b).

2. Under the Commission's Rules, beginning October 1, 2001, wireless carriers are required to begin providing location information for wireless 911 calls under certain circumstances as part of E911 Phase II implementation.² Specifically, after that date, wireless carriers choosing to implement Phase II using handset-based location technology must begin selling ALI compliant handsets that meet the Commission's accuracy standards. Similarly, on October 1, 2001 or within six months of a request from a Public Safety Answering Point (PSAP), whichever is later, wireless carriers implementing a network-based location technology must begin to provide Phase II information to at least 50 percent of the PSAP's coverage area or population and to 100 percent of the PSAP's coverage area or population a year thereafter. Over the course of the past several years, we have monitored the progress of wireless carriers and manufacturers in developing and implementing Phase II. Certain carriers' November 9 E911 Phase II implementation reports, and certain waiver requests, have claimed that location information capability may not be available in some cases to meet the accuracy, reliability, and timeliness requirements under the rules.

3. In its waiver request, Nextel argues that it requires a waiver of the Phase II implementation deadline because it needs additional time beyond the October 1, 2001 deadline to deploy

¹ Nextel Communications, Inc. and Nextel Partners, Inc. Joint Report on Phase II Location Technology Implementation and Request for Waiver, CC Docket No. 94-102, filed Nov. 9, 2000 (*Nextel Report and Waiver Request*).

² 47 C.F.R. § 20.18. See also, *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, Fourth Memorandum Opinion and Order, 15 FCC Rcd 17,442 (2000), *recon. pending* (E911 Fourth Memorandum Opinion and Order).

its handset-based Assisted Global Positioning System (A-GPS) technology. According to Nextel, its field trials demonstrated that A-GPS was the only accurate Phase II location solution available to it. Nextel states that its field trials included both handset-based and network overlay solutions.³ Nextel does not, however, describe the field trials it conducted, including either the solutions tested or the results obtained.

4. In an effort to continue the ongoing evaluation of the state of readiness of E911 technologies pursuant to the *E911 Fourth Memorandum Opinion and Order* and in order to evaluate Nextel's waiver request, we direct Nextel, a wireless carrier subject to the E911 Phase II rules, to provide further information regarding Nextel's ability to meet Phase II requirements. Nextel is directed to provide the information as requested in the following questions and correspond its answers to the numbers relating to each question:

1. Provide a list of all tests and studies of E911 Phase II location technologies performed on your behalf or with your participation, including field-testing, beta testing, laboratory trials, consumer end-to-end testing, feasibility studies, and any other tests or studies conducted in order to determine whether certain E911 location technologies comply with FCC requirements. For each test or study, include the name of the location technology vendor and any other parties to the test or study.

2. Provide documents reporting the results of all tests and studies, including those tests reflecting accuracy and reliability levels achieved in each test. Where possible, provide information describing the specific test locations, as well as the number of tests performed at each location.

3. Provide information on the current and expected availability of each location technology solution tested and the source of this information, including information regarding the availability of necessary components associated with each location technology.

4. Provide information on Nextel's publicly announced plans to change its air interface standards from iDEN to CDMA and how these changes will impact its E911 Phase II deployment.

5. Nextel shall respond within ten (10) calendar days of the date of this order. An officer of Nextel must sign its response. Failure to file a complete and timely response may result in the imposition of administrative sanctions. Nextel may provide any additional information that it believes is relevant to this matter, and shall direct its response to:

Jennifer Tomchin
Federal Communications Commission
Policy Division
Wireless Telecommunications Bureau
445 12th Street, S.W., Room 3-C122
Washington, D.C. 20554

6. Nextel is advised that 18 U.S.C. § 1001 and 47 C.F.R. § 1.17 prohibit misrepresentations and/or willful omissions of material facts in response to Commission inquiries.

7. We intend to make the information submitted available to the public, to assist in effective review of the Phase II process. These materials provide information about the degree to which certain location technologies are capable of meeting the Commission's standards for E911 Phase II implementation. Public disclosure of this information will provide an opportunity for review and analysis of this information by interested parties, which may inform our evaluation of the current state of readiness

³ See *Nextel Report and Waiver Request* at 14-19.

of E911 location technologies as well as our decision upon Nextel's specific waiver request. Any request that material be withheld from public inspection should comply with Section 0.459 of the Commission's Rules.

8. Accordingly, pursuant to Section 308(b) of the Communications Act of 1934, as amended, 47 U.S.C. § 308(b), and the authority delegated pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331, **IT IS ORDERED** that Nextel provide the information requested in this order.

FEDERAL COMMUNICATIONS COMMISSION

Kris A. Monteith, Chief
Policy Division
Wireless Telecommunications Bureau